

ASSEMBLY, No. 3106

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED FEBRUARY 24, 2020

Sponsored by:

Assemblyman JOHN F. MCKEON

District 27 (Essex and Morris)

SYNOPSIS

Creates Highlands Conservation Trust to preserve land in Highlands Region, and authorizes Highlands conservation license plate to raise revenue therefor.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning the Highlands Region, creating the Highlands
2 Conservation Trust, and supplementing Titles 13, 39, and 54 of
3 the Revised Statutes.

4
5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*

7
8 1. This act shall be known, and may be cited, as the "Highlands
9 Conservation Trust Act."

10
11 2. As used in this act:

12 "Board" means the board of trustees of the Highlands
13 Conservation Trust established pursuant to section 4 of P.L. ,
14 c. (C.) (pending before the Legislature as this bill).

15 "Convey" means to sell, transfer, lease or donate land.

16 "Governmental entity" means the federal government, the State,
17 a bi-state agency, a county, or a municipality, or any political
18 subdivision, department, authority, board, bureau, commission, or
19 agency thereof; an independent authority; Rutgers, The State
20 University, or any other public institution of higher education in the
21 State; or the Highlands Water Protection and Planning Council,
22 established pursuant to section 4 of P.L.2004, c.120 (C.13:20-4).

23 "Highlands Region" means the same as that term is defined
24 pursuant to section 7 of P.L.2004, c.120 (C.13:20-7).

25 "Land" or "lands" means real property, including improvements
26 thereof or thereon, rights-of-way, water, riparian and other rights,
27 easements, and privileges, and all other rights and interests of any
28 kind or description in, relating to, or connected with real property.

29 "Trust" means the Highlands Conservation Trust created
30 pursuant to section 3 of P.L. , c. (C.) (pending before the
31 Legislature as this bill).

32
33 3. There is created in but not of the Highlands Water Protection
34 and Planning Council, established pursuant to section 4 of
35 P.L.2004, c.120 (C.13:20-4), a body corporate and politic with
36 corporate succession, to be known as the Highlands Conservation
37 Trust. The trust is hereby constituted as an instrumentality
38 exercising public and essential government functions, and the
39 exercise by the trust of the powers conferred by this act shall be
40 deemed and held to be an essential government function of the
41 State. The purposes of the trust shall be to acquire and hold, or
42 acquire and convey to other governmental entities or to qualified
43 nonprofit organizations, environmentally important, valuable, or
44 sensitive lands located in the New Jersey Highlands Region, which
45 lands shall be permanently preserved and managed in their natural
46 state or in a largely natural or undeveloped state for the purposes of
47 (a) conserving and enhancing the exceptional natural resources of
48 the Highlands Region, such as clean air, contiguous forest lands,

1 wetlands, pristine watersheds, and habitat for fauna and flora, (b)
2 preserving sites of historic significance, and (c) providing abundant
3 passive recreational opportunities.

4
5 4. a. The powers and duties of the trust shall vest in and be
6 exercised by a board of trustees composed of seven voting
7 members, of whom four shall be private citizens appointed by the
8 Governor, with the advice and consent of the Senate. The four
9 trustees thus appointed shall serve for three-year terms and shall
10 continue to serve until succeeded; except, of the four trustees first
11 appointed, two shall serve a term of three years, one shall serve a
12 term of two years, and one shall serve a term of one year. A trustee
13 may be reappointed to a succeeding term or terms. The Governor
14 shall appoint the four trustees from a list of 14 candidates that shall
15 be provided by the following entities within 90 days after the
16 effective date of this section: Association of New Jersey
17 Environmental Commissions; Highlands Coalition; The Nature
18 Conservancy; New Jersey Audubon Society; New Jersey Chapter of
19 the Sierra Club; New Jersey Conservation Foundation; and The
20 Trust for Public Land. Each of those seven entities shall provide
21 two nominees for the list of 14 candidates. In the event that less
22 than 14 candidates are provided by those seven entities, persons
23 suggested to the Governor by other nonprofit organizations having
24 open space preservation or environmental education as their
25 corporate purpose shall be added to the list to make a total of 14
26 candidates to be considered by the Governor for the four
27 appointments.

28 The remaining three trustees, all of whom shall serve ex officio,
29 shall be: the Commissioner of the Department of Environmental
30 Protection or the commissioner's designee; the executive director of
31 the Highlands Water Protection and Planning Council, or the
32 executive director's designee; and a mayor, or elected chief
33 executive, of a municipality in the preservation area of the
34 Highlands Region, as defined pursuant to subsection b. of section 7
35 of P.L.2004, c.120 (C.13:20-7), appointed by the Highlands Water
36 Protection and Planning Council.

37 b. (1) A trustee may be removed for cause by the appropriate
38 appointing authority.

39 (2) A vacancy on the board shall be filled in the same manner as
40 the original appointment was made.

41 (3) The trustees shall serve without compensation, but may be
42 reimbursed for all reasonable expenses necessarily incurred in the
43 discharge of their official duties.

44 (4) A majority of the full membership of the board shall
45 constitute a quorum for the transaction of business.

46 Action may be taken and motions and resolutions adopted by the
47 board at any meeting thereof by the affirmative vote of a majority
48 of the full membership of the board.

1 (5) The trustees shall elect a chairperson and a vice-chairperson
2 from the members of the board.

3 (6) The board shall meet regularly as it may determine, and shall
4 also meet at the call of the chairperson of the board or the
5 Governor. Meetings of the board shall be subject to the "Senator
6 Byron M. Baer Open Public Meetings Act," P.L.1975, c.231
7 (C.10:4-6 et seq.).
8

9 5. The Highlands Conservation Trust shall have the power to:

10 a. Sue and be sued in its own name;

11 b. Adopt a seal and alter it at pleasure;

12 c. Adopt bylaws for the regulation of its affairs and the conduct
13 of its business, and adopt rules and regulations pursuant to the
14 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
15 seq.) as necessary to implement this act;

16 d. Maintain an office or offices at such place or places within
17 the State as it may designate;

18 e. Appoint such officers, who need not be trustees, in addition
19 to a secretary and a treasurer, as the trust shall deem advisable, to
20 establish advisory groups, and to employ such other employees,
21 consultants, and agents, including an executive director, as may be
22 necessary or desirable in its judgment, to fix their compensation,
23 and to promote and discharge such officers, employees, consultants,
24 and agents, all without regard to the provisions of Title 11A, Civil
25 Service, of the New Jersey Statutes;

26 f. Authorize, if deemed useful, the establishment by
27 appropriate persons or organizations of a nonprofit organization or
28 organizations exempt from taxation pursuant to section 501(c)(3) of
29 the federal Internal Revenue Code of 1986, 26 U.S.C. s.501(c)(3),
30 for the purposes of assisting the trust in furthering the purposes of
31 the trust as set forth in this act;

32 g. Cooperate with and assist, insofar as practicable, any
33 governmental entity or any private entity or person in furtherance of
34 the purposes of the trust;

35 h. Call to its assistance and avail itself of the services of such
36 employees of any governmental entity as it may require and as may
37 be available to it for the purpose of exercising its powers and
38 performing its duties under this act;

39 i. Incur such traveling and other miscellaneous expenses as it
40 may deem necessary in the exercise of its powers and the
41 performance of its duties under this act, and as may be within the
42 limits of funds appropriated or otherwise made available to it for
43 those purposes;

44 j. Acquire in the name of the trust, hold, and dispose of
45 personal property in the exercise of its powers and the performance
46 of its duties under this act;

47 k. Make, enter into, and perform all contracts and agreements
48 necessary or incidental to the exercise of its powers and the

1 performance of its duties under this act. No contract on behalf of
2 the trust shall be entered into for the doing of any work, or for the
3 hiring of equipment or vehicles, if the sum to be expended exceeds
4 the appropriate amount set forth in, or the amount calculated by the
5 Governor pursuant to, section 2 of P.L.1954, c.48 (C.52:34-7),
6 unless the trust first publicly advertises for bids therefor, and
7 awards the contract to the lowest responsible, qualified bidder; but
8 advertising is not required if the contract to be entered into is one
9 for furnishing or performing services of a professional nature, if
10 there is only one source for the product or service being procured,
11 or if the product or service is supplied or rendered by a public
12 utility subject to the jurisdiction of the Board of Public Utilities,
13 and tariffs and schedules of the charges made, charged, or exacted
14 by the public utility for such products to be supplied or services to
15 be rendered are filed with the Board of Public Utilities. The
16 provisions of this subsection shall not prevent the trust from having
17 any work done by its own employees, nor does it apply to repairs,
18 or to the furnishing of materials, supplies or labor, or the hiring of
19 equipment or vehicles, when the safety or protection of its or other
20 public property or the public convenience requires, or the exigency
21 of the circumstances will not admit of such advertisement. In such
22 case the trust shall, by resolution passed by the affirmative vote of a
23 majority of the trustees in attendance, declare the exigency or
24 emergency to exist, and set forth in the resolution the nature thereof
25 and the approximate amount to be expended;

26 l. Apply for and accept any grant or aid, whether from a
27 governmental entity, a nonprofit organization, a foundation or trust,
28 or any other public or private source, that might be or may become
29 available for programs in furtherance of the purposes of the trust, to
30 subscribe to and comply with any rule or regulation with respect to
31 the application of the grant or aid, and to enter into and perform any
32 contract or agreement with respect to the application of the grant or
33 aid;

34 m. Solicit and accept gifts, donations, legacies, bequests, and
35 endowments, including but not limited to land, money, securities, or
36 other property of value from public or private sources, to enable the
37 trust to acquire and hold or convey land for any purpose which falls
38 within those of the trust; and, unless otherwise specified by the
39 person making such a gift, donation, legacy, bequest, or endowment
40 of money or securities, to invest it in whole or in part as provided in
41 section 6 of P.L. , c. (C.) (pending before the Legislature
42 as this bill);

43 n. Solicit and accept rents or royalties, if appropriate, and apply
44 them to furthering the purposes of the trust;

45 o. Apply all moneys, assets, property, or other things of value
46 it may receive as an incident to its operation to furthering the
47 purposes of the trust;

48 p. Plan and implement strategies to maximize land acquisition

1 and preservation and environmental enhancement in the Highlands
2 Region in keeping with the purposes of the trust;

3 q. Acquire and hold, or acquire and convey to other
4 governmental entities, including but not limited to the New Jersey
5 Natural Lands Trust created pursuant to P.L.1968, c.425 (C.13:1B-
6 15.119 et seq.), or to qualified nonprofit organizations,
7 environmentally important, valuable, or sensitive lands located in
8 the Highlands Region; and to preserve and manage those lands in
9 their natural state or in a largely natural or undeveloped state for the
10 purposes of (1) conserving and enhancing the exceptional natural
11 resources of the Highlands Region, such as clean air, contiguous
12 forest lands, wetlands, pristine watersheds, and habitat for fauna
13 and flora, (2) preserving sites of historic significance, and (3)
14 providing abundant passive recreational opportunities;

15 r. Establish a special working relationship with the Highlands
16 Water Protection and Planning Council established pursuant to
17 section 4 of P.L.2004, c.120 (C.13:20-4) in furthering the purposes
18 of the trust;

19 s. Establish incentive programs to encourage landowners
20 within the Highlands Region to (1) convey land to the trust or to
21 other public or private entities seeking to preserve land in keeping
22 with the purposes of the trust, or (2) manage their lands in keeping
23 with the purposes of the trust;

24 t. Establish a volunteer stewardship program, and take all
25 reasonable action necessary for management and maintenance of
26 trust property;

27 u. Procure insurance against any losses in connection with its
28 property, operations, or assets, in such amounts and from such
29 insurers as it deems desirable;

30 v. Exercise its powers and perform its duties as required
31 pursuant to sections 9 through 14 of P.L. , c. (C.) (pending
32 before the Legislature as this bill) pertaining to the issuance of
33 Highlands conservation license plates when they become available;
34 and

35 w. Do all acts and things necessary or convenient to exercising
36 its powers and performing its duties under this act in furthering the
37 purposes of the trust.

38
39 6. a. There is established in the Highlands Conservation Trust
40 a trust fund, to be known as the "Highlands Conservation Trust
41 Fund," and the moneys therein are to be held in those depositories
42 as the State Treasurer may select. The State Treasurer shall deposit
43 into the trust fund all moneys: (1) received as a grant or other form
44 of aid by the trust or by the State and designated for the trust; (2)
45 given, donated, bequeathed, or endowed to the trust from public or
46 private sources; (3) received as rent or as a royalty by the trust or by
47 the State on behalf of the trust; (4) received as net revenues from
48 the New Jersey Motor Vehicle Commission in connection with the

1 issuance of Highlands conservation license plates as provided
2 pursuant to sections 9 through 14 of P.L. , c. (C.) (pending
3 before the Legislature as this bill); and (5) appropriated or
4 otherwise made available to the trust by the State. The moneys in
5 the trust fund are specifically dedicated and shall be utilized only
6 for the purposes of the trust as set forth in this act. Such grants,
7 contributions, donations, and reimbursements from federal aid
8 programs as may be lawfully used for the purposes of the trust as
9 set forth in this act shall also be held in the trust fund. Moneys in
10 the trust fund shall not be expended except in accordance with
11 appropriations from the trust fund made by law. Any act
12 appropriating moneys from the trust fund to acquire land shall
13 identify the particular project or projects to be funded by the
14 moneys, and any expenditure for a land acquisition project for
15 which the location is not identified by municipality and county in
16 the appropriation shall require the approval of the Joint Budget
17 Oversight Committee or its successor. Pending their application to
18 the purposes set forth in this act, the moneys in the trust fund shall
19 be invested and reinvested as are trust funds in the custody of the
20 State Treasurer, in the manner provided by law. Net earnings
21 received from the investment or deposit of moneys in the trust fund
22 shall be re-deposited therein and become part of the trust fund to be
23 used only for the purposes of the trust.

24 b. (1) No moneys in the Highlands Conservation Trust Fund
25 shall be utilized for the development of any land for any purpose or
26 for the acquisition of land that will not remain in a natural or largely
27 natural or undeveloped state, except that up to 8 percent of the
28 moneys annually received and deposited into the trust fund may be
29 utilized to pay for development of sites to allow for land
30 stewardship, public access, environmental education and
31 interpretation, and for the development of trails, and up to 2 percent
32 of the moneys annually received and deposited into the trust fund
33 may be utilized to pay for promotional and program awareness
34 efforts.

35 (2) No moneys in the trust fund shall be utilized to pay or
36 discharge the principal of or interest on any indebtedness incurred
37 for any purpose by the trust or any other governmental entity.

38 c. Notwithstanding any law, rule, or regulation to the contrary,
39 any proceeds returned to the trust or the State from the conveyance
40 of lands acquired by the trust with moneys from the "Highlands
41 Conservation Trust Fund" or from other sources shall be re-
42 deposited therein and become part of the trust fund to be used only
43 for the purposes of the trust.

44

45 7. The trustees may request, and upon such request shall
46 receive, from the Attorney General of the State of New Jersey, all
47 legal counsel and services necessary to further the purposes of the
48 trust.

1 8. The trust shall report annually to the Governor and, pursuant
2 to section 2 of P.L.1991, c.164 (C.52:14-19.1), to the Legislature as
3 to its activities during the preceding year, together with any
4 recommendations or requests the trustees deem appropriate to
5 further the purposes of the trust.

6
7 9. The Chief Administrator of the New Jersey Motor Vehicle
8 Commission shall, upon proper application therefor, issue
9 Highlands conservation license plates for any motor vehicle owned
10 or leased and registered in the State. In addition to the registration
11 number and other markings or identification otherwise prescribed
12 by law, a Highlands conservation license plate shall display words
13 or a slogan and an emblem indicating support for, or an interest in,
14 conservation of the New Jersey Highlands Region. The words or
15 slogan and emblem shall be chosen by the chief administrator;
16 however, the chief administrator shall solicit, in conjunction with
17 the Legislature, input on the design of the plate from the general
18 public and from the board of trustees of the Highlands Conservation
19 Trust created pursuant to section 4 of P.L. , c. (C.)
20 (pending before the Legislature as this bill), and shall review the
21 submissions prior to choosing the design. Issuance of Highlands
22 conservation license plates in accordance with this section shall be
23 subject to the provisions of chapter 3 of Title 39 of the Revised
24 Statutes, except as hereinafter otherwise specifically provided.

25
26 10. a. Application for issuance of a Highlands conservation
27 license plate shall be made to the New Jersey Motor Vehicle
28 Commission on forms and in a manner as may be prescribed by the
29 chief administrator. In order to be deemed complete, an application
30 shall be accompanied by a fee of \$50 payable to the New Jersey
31 Motor Vehicle Commission, which fee shall be in addition to all
32 fees otherwise required by law for the registration of the motor
33 vehicle.

34 b. The annual fee for the registration certificate of a motor
35 vehicle that has been issued a Highlands conservation license plate
36 pursuant to the provisions of sections 9 through 14 of P.L. c. ,
37 (C.) (pending before the Legislature as this bill) shall include
38 in each year subsequent to the year of issuance a fee in the amount
39 of \$10, which fee shall be in addition to all fees otherwise required
40 by law for the renewal of the registration of the motor vehicle, and
41 shall be collected by the New Jersey Motor Vehicle Commission
42 and deposited into the Highlands Conservation Trust Fund created
43 pursuant to section 6 of P.L. , c. (C.) (pending before the
44 Legislature as this bill).

45
46 11. There shall be deposited in the Highlands Conservation
47 Trust Fund created pursuant to section 6 of P.L. , c. (C.)
48 (pending before the Legislature as this bill) the amount collected

1 from all license plate fees collected pursuant to section 10 of
2 P.L. , c. (C.) (pending before the Legislature as this bill),
3 less the amounts necessary to reimburse the New Jersey Motor
4 Vehicle Commission for all costs authorized pursuant to section 12
5 of P.L. , c. (C.) (pending before the Legislature as this
6 bill).

7
8 12. a. Prior to the deposit of license plate fees collected
9 pursuant to section 10 of P.L. , c. (C.) (pending before the
10 Legislature as this bill) into the Highlands Conservation Trust Fund
11 created pursuant to section 6 of P.L. , c. (C.) (pending
12 before the Legislature as this bill), amounts thereof as are necessary
13 shall be used to reimburse the New Jersey Motor Vehicle
14 Commission for all costs reasonably and actually incurred, as
15 stipulated by the chief administrator, for:

16 (1) producing, issuing, renewing, and publicizing the availability
17 of Highlands conservation license plates; and

18 (2) from the initial fees, any initial computer programming
19 changes that may be necessary to implement the Highlands
20 conservation license plate program established pursuant to sections
21 9 through 14 of P.L. , c. (C.) (pending before the
22 Legislature as this bill).

23 b. The Chief Administrator of the New Jersey Motor Vehicle
24 Commission shall annually certify to the board of trustees of the
25 Highlands Conservation Trust created pursuant to section 4 of
26 P.L. , c. (C.) (pending before the Legislature as this bill)
27 the average cost per license plate incurred in the immediately
28 preceding year by the New Jersey Motor Vehicle Commission in
29 producing, issuing, renewing, and publicizing the availability of
30 Highlands conservation license plates. The annual certification of
31 the average cost per license plate shall be approved by the Joint
32 Budget Oversight Committee, or its successor.

33 c. In the event that the average cost per license plate as
34 certified by the chief administrator and approved by the Joint
35 Budget Oversight Committee, or its successor, is greater than the
36 \$50 application fee established in subsection a. of section 10 of
37 P.L. , c. (C.) (pending before the Legislature as this bill) in
38 two consecutive fiscal years, the chief administrator may
39 discontinue the issuance of Highlands conservation license plates.

40
41 13. The Chief Administrator of the New Jersey Motor Vehicle
42 Commission shall notify eligible motorists of the opportunity to
43 obtain Highlands conservation license plates by including a notice
44 with all motor vehicle registration renewals, and by posting
45 appropriate posters or signs in all facilities and offices of the New
46 Jersey Motor Vehicle Commission. The notices, posters, and signs
47 shall be designed by the chief administrator in consultation with the
48 board of trustees of the Highlands Conservation Trust created

1 pursuant to section 4 of P.L. , c. (C.) (pending before the
2 Legislature as this bill).

3
4 14. The board of trustees of the Highlands Conservation Trust
5 created pursuant to section 4 of P.L. , c. (C.) (pending
6 before the Legislature as this bill), the Chief Administrator of the
7 New Jersey Motor Vehicle Commission, and the State Treasurer
8 shall develop and enter into an interagency memorandum of
9 agreement setting forth the procedures to be followed by those
10 parties in carrying out their respective responsibilities under
11 sections 9 through 13 of P.L. , c. (C.) (pending before the
12 Legislature as this bill).

13
14 15. Notwithstanding any law, rule, or regulation to the contrary,
15 real property acquired by the Highlands Conservation Trust, created
16 pursuant to section 3 of P.L. , c. (C.) (pending before the
17 Legislature as this bill), by purchase, conveyance, bequest,
18 exchange, donation, acceptance, or otherwise, shall become exempt
19 from taxation and the payment of any in lieu of tax obligation as of
20 the date of acquisition by the trust. If, at the time of acquisition by
21 the trust, the prior owner has paid the taxes or any in lieu of tax
22 obligation for the current tax year in full or for a period beyond the
23 date of acquisition by the trust, the prior owner shall be entitled to a
24 prorated refund from the taxing authority of the taxes or in lieu of
25 tax obligations paid by the prior owner for the remaining portion of
26 the tax year beyond the date of acquisition by the trust. If
27 insufficient or no taxes, or insufficient or no in lieu of tax
28 obligations, shall have been paid by the prior owner for the portion
29 of the tax year prior to acquisition by the trust, the prior owner shall
30 pay the amount due for that period to the appropriate taxing
31 authority.

32
33 16. Sections 1 through 8 and section 15 of this act shall take
34 effect immediately, and sections 9 through 14 of this act shall take
35 effect on the 180th day after the date of enactment, but the State
36 Treasurer, the Chief Administrator of the New Jersey Motor
37 Vehicle Commission, and the board of trustees of the Highlands
38 Conservation Trust, created pursuant to section 4 of this act, may
39 take such anticipatory acts in advance of the 180th day after the
40 date of enactment as may be necessary for the timely
41 implementation of sections 9 through 14 of this act upon the
42 effective date thereof.

43 44 45 STATEMENT

46
47 This bill would create the Highlands Conservation Trust in but
48 not of the Highlands Water Protection and Planning Council. The

1 purposes of the trust would be to acquire and hold, or acquire and
2 convey to other governmental entities or to qualified nonprofit
3 organizations, environmentally important, valuable, or sensitive
4 lands located in the New Jersey Highlands Region. These lands
5 would be permanently preserved and managed in their natural state
6 or in a largely natural or undeveloped state for the purposes of (1)
7 conserving and enhancing the exceptional natural resources of the
8 Highlands Region, such as clean air, contiguous forest lands,
9 wetlands, pristine watersheds, and habitat for fauna and flora, (2)
10 preserving sites of historic significance, and (3) providing abundant
11 passive recreational opportunities. Any lands acquired by the trust
12 would become exempt from taxation and the payment of any in lieu
13 of tax obligation upon the date of acquisition.

14 The trust would be administered by a seven-member board of
15 trustees comprising: four private citizens appointed by the
16 Governor, with the advice and consent of the Senate; the
17 Commissioner of Environmental Protection; the Executive Director
18 of the Highlands Water Protection and Planning Council; and a
19 mayor, or elected chief executive, of a municipality in the
20 Highlands preservation area appointed by the Highlands Water
21 Protection and Planning Council.

22 The trust would be empowered, among other things, to:

23 (1) plan and implement strategies to maximize land acquisition
24 and preservation and environmental enhancement in the Highlands
25 Region in keeping with the purposes of the trust;

26 (2) acquire and hold, or convey to other government entities,
27 including but not limited to the New Jersey Natural Lands Trust, or
28 to qualified nonprofit organizations, environmentally important,
29 valuable, or sensitive lands in the Highlands Region; and to
30 preserve or manage those lands in their natural state, or in a largely
31 natural or undeveloped state, for the purposes of conserving and
32 enhancing the exceptional natural resources of the Highlands
33 Region, such as clean air, contiguous forest lands, wetlands, pristine
34 watersheds, and habitat for fauna and flora, preserving sites of
35 historic significance, and providing abundant passive recreational
36 opportunities;

37 (3) establish a special working relationship with the Highlands
38 Water Protection and Planning Council in furthering the purposes of
39 the trust;

40 (4) apply for and accept grants and other aid; solicit and accept
41 gifts, donations, legacies, bequests, and endowments; and solicit
42 and accept rents or royalties, all to be used for the purposes of the
43 trust;

44 (5) if deemed useful, authorize establishment by appropriate
45 persons or organizations of a tax-exempt nonprofit organization or
46 organizations for the purposes of assisting the trust; and

47 (6) establish incentive programs to encourage landowners within
48 the Highlands Region to (a) convey land to the trust or to other

1 public or private entities seeking to preserve land in keeping with
2 the purposes of the trust, or (b) manage their lands in keeping with
3 the purposes of the trust.

4 The bill would also establish the "Highlands Conservation Trust
5 Fund." The trust fund would be the depository for all moneys: (1)
6 received as a grant or other form of aid by the trust or by the State
7 and designated for the trust; (2) given, donated, bequeathed, or
8 endowed to the trust from public or private sources; (3) received as
9 rent or as a royalty by the trust or by the State on behalf of the trust;
10 (4) received as net revenues from the New Jersey Motor Vehicle
11 Commission in connection with the issuance of Highlands
12 conservation license plates as authorized by the bill; and (5)
13 appropriated or otherwise made available to the trust by the State.

14 The moneys in the trust fund would be specifically dedicated to
15 be used only for the purposes of the trust. No moneys in the trust
16 fund could be utilized for the development of any land for any
17 purpose or for the acquisition of land that will not remain in a
18 natural or largely natural or undeveloped state, except that up to 8
19 percent of the moneys annually received and deposited into the trust
20 fund could be used to pay for development of sites to allow for
21 public access and environmental education and interpretation and
22 for the development of trails, and up to 2 percent of the moneys
23 annually received and deposited into the trust fund could be used to
24 pay for promotional and program awareness efforts. No moneys in
25 the trust fund could be used to pay or discharge the principal of or
26 interest on any indebtedness incurred for any purpose by the trust or
27 any other governmental entity.